

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

LYNETTE THOMAS,

Plaintiff,

Case No. 10-cv-12558

v.

HONORABLE STEPHEN J. MURPHY, III

THE ATHLETE'S FOOT,

Defendant.

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**ORDER ADOPTING REPORT AND RECOMMENDATION** (document no. 32) **AND GRANTING MOTION FOR DEFAULT JUDGMENT** (document no. 28)

This is an employment discrimination case. Plaintiff Lynette Thomas has brought suit against her employer, The Athlete's Foot, alleging sexual harassment and a hostile work environment under Title VII of the Civil Rights Act of 1964 and the Elliot-Larsen Civil Rights Act. The Court referred the matter to a U.S. Magistrate Judge. After attempting to schedule a settlement conference, Thomas and the attorney for The Athlete's Foot informed the Court that the owners of The Athlete's Foot were no longer responding to the Court's orders. Accordingly, on October 16, 2013, the Court entered an Order to Show Cause why a default judgment should not be entered against The Athlete's Foot. The Athlete's Foot failed to respond, and on December 17, 2013, the Court entered a clerk's entry of default.

Thomas subsequently moved for default judgment. On April 21, 2014, the magistrate judge issued a Report and Recommendation ("Report") suggesting the Court grant Thomas's motion and award her \$50,000 in compensatory damages, \$50,000 in punitive damages, and \$5,512.50 in attorneys fees, as requested in the application for fees. Report, ECF No. 32.

Civil Rule 72(b) governs review of a magistrate judge's report and recommendation. De novo review of the magistrate judge's findings is only required if the parties "serve and file specific written objections to the proposed findings and recommendations." Fed. R. Civ. P. 72(b)(2). Because neither the plaintiff nor defendant filed objections, de novo review of the Report's conclusions is not required. Having reviewed the Report's analysis, in light of the record, the Court finds that its conclusions are factually based and legally sound. Accordingly, the Court will adopt the Report's findings, grant Thomas' motion for default judgment, and enter judgment in her favor in the amount of \$105,512.50.

**ORDER**

**WHEREFORE**, it is hereby **ORDERED** that the Report and Recommendation (document no. 32) is **ADOPTED**.

**IT IS FURTHER ORDERED** that Plaintiff's Motion for Default Judgment (document no. 28) is **GRANTED**.

**SO ORDERED.**

s/Stephen J. Murphy, III  
STEPHEN J. MURPHY, III  
United States District Judge

Dated: May 17, 2014

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on May 17, 2014, by electronic and/or ordinary mail.

s/Carol Cohron  
Case Manager